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**From:** Brush, Jason [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ADE1A32824404ED5A333DCD77F2DFC4A-JBRUSH]  
**Sent:** 10/6/2017 3:34:35 AM  
**To:** edwin.s.townsley@usace.army.mil  
**CC:** William.L.James@usace.army.mil; Deanna.L.Cummings@usace.army.mil  
**Subject:** EPA comments on Rosemont Final Habitat Mitigation and Monitoring Plan (September 12, 2017)  
**Attachments:** Rosemont Mine Final HMMP\_EPA Comments\_10.05.2017.pdf; EPA Impact Analysis Rosemont Mine October 5 2017.pdf; Rosemont Copper Mine EPA Groundwater Impact Analysis. October 5, 2017.pdf

**Importance:** High

Stu – Thanks to you and your team for forwarding Hudbay’s Final Habitat Mitigation and Monitoring Plan (HMMP) and requesting our input. I am transmitting for your consideration three documents reflecting EPA technical staff analysis pertinent to SPD’s assessment of the HMMP: 1) a Significant Degradation analysis of direct impacts (which under the regulations can only be overcome through compensatory mitigation); 2) an analysis of the most current information on secondary impacts to surface waters from groundwater drawdown (a direct consequence of the permitted discharges); and 3) our technical and policy assessment of the Final HMMP itself.

In summary, we find that the proposed mitigation described in the Final HMMP--located outside the impacted watershed--would not avoid significant degradation to the impacted watershed (Cienega Creek). Even if individually successful, the proposed mitigation actions would inadequately replace the ecological services currently provided by the headwater stream network and interrelated terrestrial ecology covered by the proposed permit action. We find this to be the case independent of whether the Corps considers the secondary surface impacts from groundwater drawdown.

Please don’t hesitate to contact me or my staff to discuss the HMMP and address any questions regarding our analysis.

Respectfully,

**Jason A. Brush**  
**Supervisor, Wetlands Section**  
**U.S. Environmental Protection Agency, Region 9**  
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